

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

TYRELL KNIGHT,	)	
	)	
Plaintiff,	)	4:06CV3065
	)	
v.	)	
	)	
RAYMOND EDELMAN, sued in	)	<b>MEMORANDUM</b>
both their individual and official	)	<b>AND ORDER</b>
capacities, UNKNOWN	)	
NOORDHOCK, Corporal, sued in	)	
both their individual and official	)	
capacities, CALVIN HAYWOOD,	)	
sued in both their individual and	)	
official capacities, and UNKNOWN	)	
PIPER, Sergeant, sued in both their	)	
individual and official capacities,	)	
	)	
Defendants.	)	

This matter is before the court on its own motion. On January 28, 2008, this court entered an order noting that Plaintiff had been released from custody and requiring Plaintiff to file a new application to proceed in forma pauperis. (Filing No. 50.) In its January 28, 2008 Order, the court warned Plaintiff that failure to file a new application to proceed in forma pauperis by February 28, 2008 would result in dismissal of this case without further notice. (*Id.*)

Plaintiff has not filed a new application to proceed in forma pauperis in this matter or taken any other action. Plaintiff's Complaint must therefore be dismissed.

IT IS THEREFORE ORDERED that:

1. Plaintiff's Complaint is dismissed without prejudice for failure to prosecute his claims diligently.
2. A separate judgment will be entered in accordance with this memorandum and order.

March 6, 2008.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge